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SPECIALIZING IN PATENTS, TRADEMARKS &amp; COPYRIGHTS

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PRACTICE LIMITED TO FEDERAL PATENT,  
TRADEMARK AND COPYRIGHT MATTERSDEBRA G. SHOEMAKER, PH.D.  
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ADMITTED ONLY IN JAPAN**FACSIMILE TRANSMISSION**

Date: July 31, 2007

Pages: 5

To: **U.S. Patent Office -  
Office of Finance - Refund Branch**  
Fax No.: 571-273-8500

From: David G. Posz

Subject: **Request for Refund of IDS Fee in Application No. 10/728,879**

Applicant(s): LEE et al.

Application No.: 10/728,879

Filed: 12/08/2003

Title: APPARATUS AND METHOD OF  
SEARCHING AND ORGANIZING  
INTELLECTUAL PROPERTY  
INFORMATION UTILIZING AN IP  
THESAURUS

Attorney Docket No.: 113708.127US2

Group Art Unit: 2163

Examiner: DARNO, PATRICK A

Sirs,

Applicants request a refund to Deposit Account 50-1147 of the PTO fee of \$180 for the submission of Information Disclosure Statement which was charged to our Deposit Account 50-1147 on June 4, 2007 since the fee was not required for this application. The Information Disclosure Statement was filed on May 29, 2007 before a Final Office Action was mailed on May 31, 2007.

Copies of the Supplemental Information Disclosure Statement of May 29, 2007, Final Office Action of May 31 and our Deposit Account Statement of June 2007 are attached herewith.

Authorization is hereby given to charge any fee deficiencies or credit any overpayment to Deposit Account 50-1147.

Respectfully submitted,


David G. Posz  
Reg. No. 37,701

\*\*\*\*Notice\*\*\*\*

The information contained in this facsimile transmission is intended only for the above-indicated addressee, and may contain privileged and confidential attorney work product or trade secret information. Any dissemination, distribution or copying of any part of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify the sender, and return the transmission to the sender at the above-indicated address.

**Office Action Summary****Application No.**

10/728,879

**Applicant(s)**

LEE, EUGENE M.

**Examiner**

Patrick A. Damo

**Art Unit**

2183

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 March 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14-23 and 26-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-23 and 26-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

U.S. Patent and Trademark Office

Office Action Summary

Part of Paper No./Mail Date 05272007

## Deposit Account Statement

United States  
Patent and  
Trademark OfficeDeposit Account Statement

Requested Statement Month:

June 2007

Deposit Account Number:

501147

Name:

POSZ LAW GROUP, PLC

Attention:

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DATE SEQ POSTING  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lee

Serial No.: 10/728,879

Filed: 12/08/2003

TITLE: APPARATUS AND METHOD OF  
SEARCHING AND ORGANIZING  
INTELLECTUAL PROPERTY INFORMATION  
UTILIZING AN IP THESAURUS

Att. Dkt.: 113708.127US2

Art Unit: 2163

Examiner: DARNO

**FAXED**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: 29 May 2007

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence (two (2) pages total) is being facsimile transmitted to the USPTO (Fax. No. 571-273-8300) on this date: 29 May 2007. Typed Name: Cynthia K. Nicholson.  
Signature:

**INFORMATION DISCLOSURE STATEMENT AND ATTACHED FORM PTO 1449**

Sir:

Pursuant to 37 C.F.R. §1.56, the references listed on the attached Form PTO-1449 are being submitted for consideration by the Examiner without any admission that they constitute statutory prior art, or without any admission that they contain subject matter that anticipates the invention or renders the invention obvious to a person of ordinary skill in the art.

Further, pursuant to 37 C.F.R. §1.97(c), the undersigned hereby certifies that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. Specifically, the listed references were cited in applicant's co-pending application Ser. No. 10/725,531, 10/229,273, and 10/891,478, in office actions mailed 26 March 2007, 9 March 2007, and 27 February 2007; 29 May 2007 is the next business day following 27 May 2007.

Although no fees are believed to be due at this time, it is respectfully requested that any such fees be charged to Deposit Account 50-1147. Also, the Examiner is requested to initial the attached PTO Form-1449 and to return a copy of same to the undersigned attorney as proof that the listed references have been considered and made of record.

Respectfully submitted

Cynthia K. Nicholson  
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Document code: WFEE

United States Patent and Trademark Office  
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